

**STATE OF NEW MEXICO
ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT
OIL CONSERVATION DIVISION**

**APPLICATION OF DEVON ENERGY PRODUCTION COMPANY, LP
FOR A HORIZONTAL SPACING UNIT AND COMPULSORY POOLING,
LEA COUNTY, NEW MEXICO**

CASE NO. 20962

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ORDER No. B-20979

ORDER

These applications of Devon Energy Production Company, LP (“Applicant”) came on for hearing before the Oil Conservation Division (“OCD”) on December 12, 2019. At the hearing, Applicant acknowledged that it failed to timely publish notice of the hearing and did not have the affidavit of publication as required by 19.15.4.12(B) NMAC. However, at the hearing and in a brief submitted after the hearing, Applicant asserted that published notice was not required because certain royalty interest owners who could not be located were not entitled to such notice.

Having considered the matter, and being fully advised in the premises,

IT IS HEREBY ORDERED:

1. The applications are reopened for the limited purpose of allowing Applicant to comply with the notice publication requirements in 19.15.4.12(B) NMAC.
2. The applications are continued to the OCD hearing on January 9, 2020.
3. Prior to the OCD hearing, Applicant shall publish notice as specified in 19.15.4.12(B) NMAC.

4. At the OCD hearing, Applicant shall present an affidavit stating its compliance with notice publication requirements and the affidavit of publication. If the unlocatable person(s) file(s) an entry of appearance, OCD at the hearing will determine whether the application will be heard by affidavit or witnesses.
5. OCD will take the legal issue raised by Applicant under advisement.



ADRIENNE SANDOVAL
DIRECTOR

Date: 12/17/19

